

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12696 of Leonard Schuman, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.48 to operate a parking lot in the R-3 District at the rear of premises 5309 Georgia Avenue, N. W., (Square 2997, Lot 110).

HEARING DATE: July 19, 1978

DECISION DATE: July 19, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject lot is located in an alley at the rear of 5309 Georgia Avenue, N. W., between Jefferson and Ingraham Streets, in the R-3 District.

2. The applicant proposes the continuation of the subject premises as a parking facility to serve the needs of the Jefferson Liquor Store, which is located directly across the alley from the subject lot.

3. The Board granted a continuation of this parking lot by BZA Order #12344 dated June 10, 1977 for a period of five years.

4. The applicant failed to apply for a certificate of occupancy within six months after the effective date of the prior order, and the approval therein granted, thus lapsed.

5. The lot is located on an alley with no street frontage. The Board notes that there are only very limited uses which are permitted on such a lot. The lot can accommodate approximately twenty automobiles.

6. The lot is a non-attended facility.

7. The lot is separated from the liquor store which it serves by a public alley.

8. The Department of Transportation by memorandum dated July 7, 1978, stated that no adverse impacts have been identified and the lot was in good condition. The Board so finds.

9. ANC 4D was notified as to the application but no recommendation was received.

10. There was no opposition to the application.

CONCLUSIONS OF THE LAW AND OPINION:

The Board concludes that the location of the lot is separated only by an alley from the commercial business' in which it serves.

The Board concludes that the continuation of this parking facility, recognizing the alley location of the lot, the total number of parking spaces and the low level of usage, is reasonably necessary and convenient to the neighborhood and is so located and designed that the lot is not likely to become objectionable to adjoining or nearby property because of noise, traffic or other objectionable conditions. Accordingly, it is therefore ORDERED that the application is GRANTED, subject to the following conditions:

- a. Approval shall be for a period of 5 years from the date of June 10, 1977, which may be renewed at the discretion of the Board upon the filing of a proper application.
- b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- c. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
- h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

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VOTE: 5-0 (Chloethiel Woodard Smith, William F. McIntosh,
Leonard L. McCants, Theodore F. Mariani and
Charles R. Norris to grant).

BY THE ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 11 SEP 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS
ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT
IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS
ORDER.